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## REMARKS

### **I. Claim Amendments**

The Applicant has amended the claims so as to further clarify that they are directed to debugging of the latch through the graphical user interface. Essentially, the Independent claim 1 has been amended to limit the method to a debugging method and system in which latch internal electrical functionality and status data is generated in response to automatically analyzing the latch, in which user interactive features are graphically displayed for permitting a user to diagnose and debug the latch and in which a latch debugging operation is then initiated through the graphical user interface in response to a user input provided to the graphical user interface. Corresponding amendments have been made to the system and computer program product claims. Consequential amendments have been made to the dependent claims. Claim 21 is now redundant and has been deleted. Additional amendments have been made to the dependent claims which are believed to be self-explanatory.

The Applicant respectfully submits that these amendments further clarify that the claims are directed not only to analyzing the latch but also to debugging it and further distinguish the claims from the cited prior art.

### **II. Claim Rejections Under - 35 U.S.C. §103**

#### **Requirements for Prima Facie Obviousness**

The obligation of the Examiner to go forward and produce reasoning and evidence in support of obviousness under 35 U.S.C. §103 is clearly defined at M.P.E.P. §2142:

The examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness. If the examiner does not produce a *prima facie*

case, the applicant is under no obligation to submit evidence of nonobviousness.

M.P.E.P. §2143 sets out the three basic criteria that a patent examiner must satisfy to establish a *prima facie* case of obviousness necessary for establishing a rejection to a claim under 35 U.S.C. §103:

1. some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings;
2. a reasonable expectation of success; and
3. the teaching or suggestion of all the claim limitations by the prior art reference (or references when combined).

It follows that in the absence of such a *prima facie* showing of obviousness under 35 U.S.C. §103 by the examiner (assuming there are no objections or other grounds for rejection), an Applicant is entitled to grant of a patent. *In re Oetiker*, 977 F.2d 1443, 1445, 24 USPQ2d 1443 (Fed. Cir. 1992).

Thus, in order to support an obviousness rejection under 35 U.S.C. §103, the Examiner is obliged to produce evidence compelling a conclusion that each of the three aforementioned basic criteria has been met.

**Kennedy, III et al**

Claims 1-10, and 13-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kennedy, III et al, (US Patent No. 6,167,255).

Regarding Claim 6, the Examiner argued that Kennedy, III discloses a system, comprising: a. Diagnostic data associated with a latch (door lock), wherein the diagnostic data comprises operational and/or functional information (diagnostic testing information) for debugging the latch and wherein the diagnostic data is

generated in response to automatically analyzing the latch; b. a graphical user interface 22 for graphically displaying the data within a display area thereof, and c, a communications link (fig. 1) between the graphical user interface 22 of mobile unit 12 and the latch over which latch operational and functionality feedback information is communicated to the latch, in response to user input provided to the graphical user interface.

Regarding Claim 7, the Examiner argued that it is inherent that the latch debugging operation data in the Kennedy, III system is communicated over the communications link between user interface 22 and the latch in response to the user interface being activated to initiate a latch debugging operation.

Regarding Claim 8, the Examiner argued that the latch in Kennedy, III is inherently automatically analyzed during latch operations thereof.

Regarding Claim 9, the Examiner argued that the diagnostic data in Kennedy, III inherently comprises internal electrical functionality and status of data of sensors 26, actuators 28, and computing devices 30.

Regarding claim 10, the Examiner argued that the functionality and operation of the latch Kennedy III's system are automatically modified, in response to communicating latch operational and functionality feedback information to the latch over the communications link (i.e. the lock open or closed upon input from the user interface 12).

Regarding Claims 1-5, the Examiner argued that rejection of claims 1-5 recites the rejection of claim 6-10, respectively, except they are method claims.

Regarding Claim 13-18, the Examiner argued that the rejection of claims 13-18 follows the rejection of claims 1-5 or 6-10, except it is a program product. The Examiner also argued that it is inherent that the Kennedy, III system comprises a program product to perform those functions.

Regarding Claim 19, the Examiner argued that it is inherent that the instructions means in the Kennedy, III system further comprises a bearing media for the instruction means to be stored on.

The Applicants respectfully disagree with this assessment. Kennedy, III is concerned with a communication system which includes mobile units, a network switching center, and service centers to provide a variety of enhanced services to the mobile units and does not teach a latch diagnostic method as claimed. Furthermore, the Applicants respectfully submit that Kennedy, III does not teach or suggest a latch debugging method in which latch internal electrical functionality and status data is generated in response to analyzing the latch and in which a debugging operation is subsequently initiated and communicated to the latch as taught by the present application.

With this in mind, in order further to distinguish the claims from the disclosure of Kennedy, III, the claimed method has been amended to restrict it to a debugging method in which latch internal electrical functionality and status data is generated in response to automatically analyzing the latch, in which user interactive features are graphically displayed for permitting a user to diagnose and debug the latch and in which a latch debugging operation is initiated through the graphical user interface in response to a user input provided to the graphical user interface. Corresponding amendments have also been made to the claimed system and computer program product.

Kennedy, III clearly does not disclose or suggest a method of debugging wherein latch internal electrical functionality and status data is initially generated in response to automatically analyzing the latch and then a latch debugging operation is initiated through the graphical user interface in response to a user input provided to the graphical user interface. Nor does Kennedy, III disclose communicating latch debugging operational and functionality feedback information to the latch, in response to the user input provided to said graphical user interface.

Thus, with regard to amended independent claims 1, 6 and 13 and the claims dependent therefrom, at least the first and third prongs of the aforementioned test

that must be satisfied to establish a *prima facie* case of obviousness necessary for establishing a rejection to a claim under 35 U.S.C. §103 are not met. There is no suggestion or motivation, in Kennedy or in the knowledge generally available to one of ordinary skill in the art, to modify Kennedy so as to provide the claims' limitations, in particular, a debugging system and method in which the diagnostic data comprises latch internal electrical functionality and status data for debugging of the latch. Furthermore, there is no teaching or suggestion in Kennedy, III of all the claims' limitations.

Therefore, the Applicants respectfully submit that the rejection to 1-10, and 13-19 have been traversed and should be withdrawn. The Applicants therefore respectfully request that the rejection to claims 1-10, and 13-19 be withdrawn.

### III. Conclusion

The foregoing discussion and amendments do not present new issues for consideration and no new search is necessitated. Such amendments are supported by the specification and do not constitute new matter.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned representative to conduct an interview in an effort to expedite prosecution in connection with the present application.

Respectfully submitted,



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Tel. (505) 314-1312  
Fax. (505) 314-1307

Kermit Lopez  
Attorney for Applicants  
Registration No. 41,953  
ORTIZ & LOPEZ, PLLC  
P.O. Box 4484  
Albuquerque, NM 87196-4484